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**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

DZ Reserve and Cain Maxwell (d/b/a Max  
Martialis), individually and on behalf of others  
similarly situated,

Plaintiffs,

v.

FACEBOOK, INC.,

Defendant.

Case No.: 3:18-cv-04978-JD

**DECLARATION OF GEOFFREY  
GRABER IN SUPPORT OF MOTION  
FOR ADMINISTRATIVE RELIEF**

Hon. James Donato

**DECLARATION OF GEOFFREY GRABER**

I, Geoffrey Graber, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and admitted in this Court. I am a partner with the law firm of Cohen Milstein Sellers & Toll PLLC, and counsel of record for Plaintiffs and the proposed class in the above-captioned matter.

2. I have personal knowledge of the facts set forth in this Declaration. If called as a witness, I could and would competently testify as to these facts under oath.

3. Pursuant to Civil Local Rule 7-11(a), I submit this declaration in support of Plaintiffs' Administrative Motion to Provisionally File Under Seal Portions of Plaintiffs' Proposed Third Amended Consolidated Complaint ("TACC").

4. Pursuant to Civil Local Rule 79-5(e), I hereby state that the following lines of the proposed TACC quote, reference, or otherwise rely on documents that were designated Highly Confidential—Attorneys' Eyes Only by Facebook under the Protective Order (ECF No. 81):

Page & Line	Summary of Sealable Material	Basis for Redaction
2:12	Quotation from document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
2:13-14	Quotation from document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
15:27 - 16:2	Block quotation from document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
16:12-13	Summary of contents of document produced in discovery and quotation from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).

16:17-21	Summary of contents of document produced in discovery and block quotation from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
16:23-25	Summary of contents of document produced in discovery and quotation from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
17:1-2	Quotation from document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
17:11-22	Summary of contents of document produced in discovery and quotation from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
18:7-14	Summary of contents of document produced in discovery and quotation from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
18:19-20	Summary of contents of document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
18:23-25	Block quotation from document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
19:1-3	Summary of contents of document produced in discovery and quotation from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
19:4-12	Summary of contents of document produced in discovery and block quotation from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
19:21-23	Summary of contents of document produced in discovery and quotation from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).

19:26-20:1	Block quotation from document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
20:5-9	Summary of contents of document produced in discovery and quotations from that document.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
20:10-12	Summary of contents of documents produced in discovery and quotations from those documents.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
20:16	Summary of contents of document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
28:3-8	Summary of contents of documents produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
28:11-12	Two quotations from document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).
29:1-3	Summary of contents of document produced in discovery.	The information discusses documents and materials designated confidential by Facebook. The excerpts are filed provisionally under seal pursuant to Civ. L.R. 79-5(e).

5. In advance of Plaintiffs' filing this motion for administrative relief, I informed Facebook that Plaintiffs intended to request the Court's leave to file the proposed TACC; that the TACC contained information or material that Facebook had designated confidential or highly confidential pursuant to a protective order, ECF No. 81; that Plaintiffs opposed the permanent sealing of the TACC and intended to request an order from the Court to file the TACC in the public record; and that Plaintiffs did not believe that any of the material referenced in the TACC should be filed under seal.

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2 6. I met and conferred with counsel for Facebook several times on these issues. The  
3 parties were not able to stipulate to filing the TACC under seal because Plaintiffs do not agree that  
4 the material referenced in the TACC is privileged or otherwise sealable.

5 7. I proposed to counsel for Facebook that the parties stipulate to a briefing schedule on  
6 the question of sealing to ensure both sides have adequate time to address the issue. Counsel for  
7 Facebook agreed, and the parties have proposed a briefing schedule in the stipulation filed  
8 concurrently with Plaintiffs' Administrative Motion.

9 I declare under penalty of perjury that the foregoing is true and correct.

10 Executed this day, March 19, 2020, in Washington, D.C.

11 By: /s/ Geoffrey Graber  
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